

REMARKS

Provisional Election

A Restriction Requirement was imposed between:

Group I, claims 1-8, directed to a side airbag device; and

Group II, claims 9-19, directed to a method of folding an inflatable cushion.

Applicants affirm their provisionally election to prosecute Group II, claims 9-19, made in a phone call to Scott McBain. Nevertheless, Applicants respectfully traverse the requirement.

Group I is directed to an airbag device having a cushion that is the product of the folding method of Group II. Thus, the Groups represent merely different aspects of but a single invention. Moreover, prior art showing a folded airbag, or the method of folding, would be material to both Groups. Indeed, the Office Action points out that references that disclose a folded cushion inherently also disclose the method for folding the cushion to arrive at the product structure. Efficiency, both on the part of Applicants, and also on the part of the Patent Office, mandates that all claims should be examined together. The Restriction Requirement unduly burdens Applicants by requiring them to file and prosecute multiple applications, and pay fees and maintain multiple patents, to obtain the patent protection to which they are entitled.

Therefore, it is respectfully requested that the Restriction Requirement be withdrawn, and that all claims of Group I and Group II be considered in the present application.

Claim Rejection based upon Asano et al.

Claims 9-14 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 6,371,512, issued to Asano et al. in 2002.

With regard to claim 9, attention is directed to the embodiment of Applicants' invention in Fig. 4. Claim 9 calls for a securement end 38, a first fold 42, a traversing portion 44 and a plurality of folds 46 back towards the first fold. When actuated, gas travels through the first fold 42, then the traversing portion 44, then the packet of folds 46, then the lower traversing portion 48 and the end portion 50. The gas inflates the first fold and the traversing portion to push the fold packet toward the headliner 8. End portion 50 is strategically arranged so as to be first portion to deploy out from the headliner.

The rejection points to Figs. 18 and 19 in Asano et al. Asano et al. comprises a double-layer transverse portion 325C, then a first fold, then a series of folds away from the first fold, then the end portion 327B. As the cushion inflates, the transverse portion pushes the packet of folds toward the headliner, as shown in Fig. 19. It is significant that the first fold occurs after the transverse portion to push the remaining folds downward. Thus, Asano et al. does not form a first fold before the transverse portion, as in Applicants' invention. Moreover, if Asano did have a first fold to inflate before the transverse portion, it would push the folds upward, opposite to the desired deployment direction. Thus, Asano et al. does not teach or suggest Applicants' invention.

Claim 9 is directed to Applicants' method for folding an inflatable cushion that includes creating a first fold, positioning a traversing portion away from the first fold, creating a plurality of folds back towards the first fold, and positioning an end portion about the plurality of folds. Asano et al. does not form a first fold before the transverse portion. Moreover, after the first fold, the remaining folds in Asano et al. are formed so that they extend away from the first fold, not towards it as called for in the claim. Thus, Asano et al. does not teach or even suggest Applicants' method in claim 9.

Claims 10-14 are dependent upon claim 9 and so not taught or suggested by Asano et al. at least for the reasons set forth with regard to that claim.

Accordingly, it is respectfully requested that the rejection of claims 9-14 based upon Asano et al. be reconsidered and withdrawn, and that the claims be allowed.

Claim Rejection based upon Tanase et al.

Claims 16-19 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent Application Publication No. US 2001/0006287, by Tanase et al. in 2001.

Claim 16 is understood with reference to Fig. 6. The claim calls for a traversing portion, a plurality of folds and an end portion. During inflation, the traversing portion pushes the fold packet toward the headliner. Moreover, the end portion is strategically arranged to deploy first from the headliner. The rejection points to Fig. 9 in Tanase et al.

Tanase et al. does not include a traversing portion, but rather uses a wall 38 and 39 to mechanically direct the cushion during deployment. As the airbag is deployed, the first fold inflates first and, without wall 39, would push the rest of the folds downward and away from the headliner. The wall blocks the cushion, so that only direction for expansion is toward the headliner. In contrast, Applicants' invention provides a traversing portion, and so eliminates the need for a wall such as in Tanase et al. Tanase et al. does not include a traversing section, and so does not anticipate or even suggest Applicants' method of folding in claim 16.

Claims 17-19 are dependent upon claim 16 and so not taught or suggested by Tanase et al. at least for the reasons set forth with regard to that claim.

Accordingly, it is respectfully requested that the rejection of claims 16-19 based upon Tanase et al. be reconsidered and withdrawn, and that the claims be allowed.

Claim Rejection based upon Asano et al and Tanabe et al. .

Claim 15 was rejected under 35 U.S.C. § 103 as unpatentable over Asano et al. in view of United States Patent No. 6,460,877, issued to Tanabe et al. in .

Claim 15 is dependent upon claim 9. For the reasons set forth above, Asano et al. does not teach or suggest Applicants' invention in claim 9.

Tanabe et al. is applied to show an inflatable cushion folded by a machine.

However, Tanabe et al. does not show a cushion that includes a traversing portion, see Fig. 2. Thus, neither Asano et al. nor Tanabe et al. nor their combination show a method of folding a cushion that creates a first fold, provides a traversing portion, and creates a plurality of folds from the traversing portion back towards the first fold. Without these features, the references, even if combined, do not point to Applicants' invention in claim 9, or claim 15 dependent thereon.

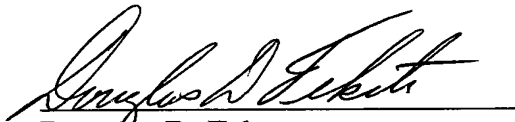
Accordingly, it is respectfully requested that the rejection of claim 15 based upon Asano et al. and Tanabe et al. be reconsidered and withdrawn, and that the claims be allowed.

Conclusion

For the reasons herein, it is believed that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas D. Fekete", is written over a horizontal line.

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